

House Bill 302 (AS PASSED HOUSE AND SENATE)

By: Representatives Hamilton of the 23<sup>rd</sup>, Collins of the 27<sup>th</sup>, Loudermilk of the 14<sup>th</sup>, Amerson of the 9<sup>th</sup>, Rogers of the 26<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

To amend Article 4 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to telecommunications and competition development, so as to require telecommunications companies to provide customers with the ability to block nonaffiliated third-party services and associated charges; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 4 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to telecommunications and competition development, is amended by revising Code Section 46-5-171.1, relating to written authorization required by customer prior to being charged for service initiated by a third party, to read as follows:

"46-5-171.1.

(a) Except as provided in subsection (b) of this Code section, no telecommunications company shall charge a customer for any service which is provided to the customer by a nonaffiliated third party until such third party has certified to the telecommunications company that the third party has received the customer's written authorization for such charges. When a customer initiates a new type of such third-party service or changes the type or types of such third-party service received, the invoice for such new or changed services must state the charges for such services in a clear, conspicuous, separate, and distinct manner so as to ensure that the customer is aware of the new or changed charges. Any telecommunications company that charges a customer for a service which is provided to the customer by a nonaffiliated third party must provide to such customer the ability to block the nonaffiliated third-party service and any charges associated with such service.

(b) This Code section shall not apply to any transaction between a customer and that customer's selected provider of basic local exchange, inter-LATA, or intra-LATA telecommunications services or initial requests to subscribe to such services; wireless

27 services; requests for a change in a customer's provider of local exchange service or a  
28 change in a customer's primary interexchange inter-LATA or intra-LATA carrier; or  
29 customer initiated use of abbreviated dialing codes or other pay-per-use services."

30 **SECTION 2.**

31 This Act shall become effective on January 1, 2010.

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.